

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln No.: **10/736,037**

Fled: **December 15, 2003**

Confirmation No. **4023**

Applicant(s): **Kincaid et al.**

Title: **EDIBLE SPREAD COMPOSITION  
AND PACKAGED PRODUCT**

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Art Unit: **1761**

Examiner: **Carolyn A. Paden**

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Attorney Docket: **1410-77005**

Customer No.: **48940**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Request for Refund under 37 C.F.R. §1.26**

Sir or Madam:

A request for a partial refund is respectfully requested based on 37 C.F.R. §1.26. On March 6, 2007, a Response to Office Action was filed in the above application with a Petition for Extension of Time. On March 12, 2007, a charge of \$450.00 was authorized for payment per our Deposit Account No. 06-1135 for the Petition for Extension of Time. On March 13, 2007, two additional charges for \$450.00 and \$2,160.00 were entered mistakenly to our Deposit Account for this Petition for a total of \$2,610.00 in excess. A copy of our PTO Account printout showing these two mistaken charges is attached as Exhibit A. The Commissioner is respectfully requested to refund this excess amount and to credit our Deposit Account No. 06-1135 in the amount of \$2,610.00.

Respectfully submitted,

Fitch, Even, Tabin & Flannery



Nada J. Ardeleanu  
Registration No. 54,965

Date: July 11, 2007

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# **Exhibit A**

03/09 140 10569710	87441	8021	\$40.00	\$45,275.04
03/09 2 10932927	83437	1401	\$500.00	\$44,775.04
03/09 288 60824748	86744 8017	8021	\$40.00	\$44,735.04
03/09 92 11715138	7682/89909	1011	\$300.00	\$44,435.04
03/09 93 11715138	7682/89909	1111	\$500.00	\$43,935.04
03/09 94 11715138	7682/89909	1311	\$200.00	\$43,735.04
03/09 95 11715138	7682/89909	1202	\$550.00	\$43,185.04
03/09 101 10521012	8033-841163	1252	\$450.00	\$42,735.04
03/09 3462 10979672	83644	1251	\$120.00	\$42,615.04
03/09 3675 11560187	8276.88639	2311	\$100.00	\$42,515.04
03/09 3673 11560187	8276.88639	4011	\$75.00	\$42,440.04
03/09 3674 11560187	8276.88639	2111	\$250.00	\$42,190.04
03/09 3678 11560187	8276.88639	2051	\$65.00	\$42,125.04
03/09 3677 11560187	8276.88639	2201	\$100.00	\$42,025.04
03/09 3676 11560187	8276.88639	2202	\$675.00	\$41,350.04
03/09 618 11560187	8276.88639	8021	\$40.00	\$41,310.04
03/09 108 09615451	69444	2401	\$250.00	\$41,060.04
03/09 109 09615451	69444	2252	\$225.00	\$40,835.04
03/09 4319 11684168	86453/929	4011	\$75.00	\$40,760.04
03/09 4320 11684168	86453/929	2111	\$250.00	\$40,510.04
03/09 4321 11684168	86453/929	2311	\$100.00	\$40,410.04
03/12 18 10469612	7388/80618	1252	\$450.00	\$39,960.04
03/12 54 11639200	AC-7799/88346	1051	\$130.00	\$39,830.04
03/12 299 11639200	AC-7799(88346)	8021	\$40.00	\$39,790.04
03/12 2 11055347	83907	1251	\$120.00	\$39,670.04
correct change - 03/12 3 10736037	77005	1252	\$450.00	\$39,220.04
03/12 265 11372287	7793/85955	8007	\$20.00	\$39,200.04
03/12 204 11662334	8033-88413	1631	\$300.00	\$38,900.04
03/12 205 11662334	8033-88413	1642	\$400.00	\$38,500.04
03/12 206 11662334	8033-88413	1633	\$200.00	\$38,300.04
03/12 4791 10420185	67527	1252	\$450.00	\$37,850.04
03/12 89 PAYMENT		9203	-	\$87,850.04
mistaken charges - 03/13 233 10736037	77005	1255	\$2,160.00	\$85,690.04
- 03/13 304 10736037	77005	1252	\$450.00	\$85,240.04
03/13 618 11069818	82558	1401	\$500.00	\$84,740.04
03/13 649 11069818	82558	1253	\$1,020.00	\$83,720.04
03/13 963 60894313	8042-87500	2005	\$100.00	\$83,620.04
03/13 141 60894313	8042-87500	8021	\$40.00	\$83,580.04
03/13 1019 11469278	P05060US0A/8225/85746	1051	\$130.00	\$83,450.04
03/13 1020 11469278	P05060US0A/8225/85746	1253	\$1,020.00	\$82,430.04
03/13 1371 60894336	8042-89618	2005	\$100.00	\$82,330.04
03/13 658 77128641	7261-89790	7001	\$325.00	\$82,005.04
03/13 196 60894336	8042-89618	8021	\$40.00	\$81,965.04
03/13 1497 60894340	8042-90170	2005	\$100.00	\$81,865.04
03/13 209 10794310	8276.85952	8021	\$40.00	\$81,825.04
03/13 210 60894340	8042-90170	8021	\$40.00	\$81,785.04
03/13 1648 11292053	7613/85644	1252	\$450.00	\$81,335.04